1	BILL LOCKYER, Attorney General of the State of California		
2	AMY FAN, State Bar No. 156211		
3	Deputy Attorney General California Department of Justice		
4	300 So. Spring Street, Suite 1702 Los Angeles, CA 90013		
5	Telephone: (213) 897-0188 Facsimile: (213) 897-9395		
6	Attorneys for Complainant		
7	BEFORE T		
8	PHYSICAL THERAPY BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS		
9	STATE OF CAL	IFORNIA	
10	In the Matter of the Accusation Against:	Case No. 1D 2005 64305	
11	MICHAEL CHRISTOPHER BURNS		
12	1539 Applefield Street Newbury Park, CA 91320	STIPULATED SETTLEMENT AND DISCIPLINARY ORDER	
13	Physical Thomasy License No. DT 20004	DISCH ENVART ORDER	
14	Physical Therapy License No. PT 20094		
15	Respondent.		
16			
17	In the interest of a prompt and speedy settlement of this matter, consistent with the		
18	public interest and the responsibility of the Physical Therapy Board of California of the		
19	Department of Consumer Affairs, the parties hereby agree to the following Stipulated Settlement		
20	and Disciplinary Order which will be submitted to the Board for approval and adoption as the		
21	final disposition of the Accusation.		
22	<u>PARTIES</u>		
23	1. Steve K. Hartzell, (Complainant) is the Executive Officer of the Physical		
24	Therapy Board of California (Board). He brought this action solely in his official capacity and is		
25	represented in this matter by Bill Lockyer, Attorney General of the State of California, by Amy		
26	Fan, Deputy Attorney General.		
27	2. Respondent Michael Christopher Burns (Respondent) is representing		
28	himself in this proceeding and has chosen not to exercise his right to be represented by counsel.		

3. On or about August 14, 1994, the Physical Therapy Board of California 1 2 issued Physical Therapy License No. PT 20094 to Respondent. The license was in full force and 3 effect at all times relevant to the charges brought in Accusation No. 1D 2005 64305 and will 4 expire on August 31, 2006, unless renewed. 5 **JURISDICTION** 6 4. Accusation No. 1D 2005 64305 was filed before the Board and is currently 7 pending against Respondent. The Accusation and all other statutorily required documents were 8 properly served on Respondent on February 2, 2006. Respondent timely filed his Notice of 9 Defense contesting the Accusation. A copy of Accusation No. 1D 2005 64305 is attached as 10 exhibit A and incorporated herein by reference. 11 ADVISEMENT AND WAIVERS 12 5. Respondent has carefully read, and understands the charges and allegations 13 in Accusation No. 1D 2005 64305. Respondent has also carefully read, and understands the 14 effects of this Stipulated Settlement and Disciplinary Order. 15 6. 16 17

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

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7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent admits the truth of each and every charge and allegation in Accusation No. 1D 2005 64305.
- 9. Respondent agrees that his license is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

- of California. Respondent understands and agrees that counsel for Complainant and the staff of the Physical Therapy Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent, Michael Christopher Burns, holder of Physical Therapy License No. PT 20094, shall be publically reproved by the Physical Therapy Board of California for violating Business and Professions Code sections 2660, subdivisions (d) and (i), as alleged in Accusation No. 1D 2005 64305. A copy of the public reproval is attached as Exhibit B and is incorporated by reference as if fully set forth herein.

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2	<u>ACCEPTANCE</u>	
3	I have carefully read the Stipulated Settlement and Disciplinary Order. I	
4	understand the stipulation and the effect it will have on my Physical Therapy License. I enter	
5	into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently,	
6	and agree to be bound by the Decision and Order of the Physical Therapy Board of California.	
7	DATED: February 15, 2006.	
8		
9	Original Signed By: MICHAEL CHRISTOPHER BURNS	
10	Respondent	
11		
12	<u>ENDORSEMENT</u>	
13	The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully	
14	submitted for consideration by the Physical Therapy Board of California of the Department of	
15	Consumer Affairs.	
16		
17	DATED: February 15, 2006	
18	BILL LOCKYER, Attorney General of the State of California	
19	of the state of Camorna	
20	Original Signed By:	
21	AMY FAN Deputy Attomey General	
22	Attorneys for Complainant	
23	Theorie ye for Complandin	
24	DOJ Matter ID: LA2005601112 Burns Stipulated Decision.wpd	
25	Burns Supulated Decision,pu	
26		
27		
28		

Exhibit A Accusation No. 1D 2005 64305

EXHIBIT B PUBLIC REPROVAL

BEFORE THE PHYSICAL THERAPY BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:	Case No. 1D 2005 64305	
MICHAEL CHRISTOPHER BURNS 1539 Applefield Street Newbury Park, CA 91320		
Physical Therapy License No. PT 20094		
Respondent.		
DECISION AND ORDER		
The attached Stipulated Settlement ar	nd Disciplinary Order is hereby adopted by	
the Physical Therapy Board of California, Department of Consumer Affairs, as its Decision in		
this matter.		
This Decision shall become effective	onApril 10, 2006	

It is so ORDERED <u>March 10, 2006</u>.

Original Signed By: Donald A. Chu, PhD, PT, President
FOR THE PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS